

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America,) C/A No.: 6:00-cv-00236-GRA-WMC

v.)

Alliance Trust, a.k.a. Alliance T, Inc., a.k.a.)
AT, Inc., Chemical Trust, Cardinal Trust,)
a.k.a. Cardinal T, Inc., Carver Trust, a.k.a.)
Carver T, Inc., Continental Trust, Hampton)
Trust, Heart-Land Trust, Hersheys Trust,)
Three Rivers Trust, a.k.a. TRT, Inc., Merrit)
Pierce Trust, a.k.a. MPT, Inc., United)
Marketing Trust, a.k.a. UMT, Inc., U.S.)
Guarantee Corp. Gold Coast Check)
Cashing, Inc., Virgil W. Womack, George H.)
Williamson, Sr., Charlotte Womack, Clifton)
Wilkinson, Fred Morgenstern, Lewey L.)
Cato, III, Alvin A. Tang, and Joseph R.)
Silvestri,)

Defendants,)

Prestige Accounting Services, Inc., ACC)
Capital Consultants, Inc., The Falcon Trust)
Company, Ltd., America's Fidelity)
Assurance Company, Ltd., New Millennium)
Management, Manufacturers Fidelity and)
Guaranty Company, Ltd., America's)
Resource Corp., MICA Securities, Inc.,)
MICA Enterprises, Inc., U.C.B.M.)
(Bahamas), Ltd., Triple W Builders, Inc.,)
Merrit Advisors Group, Inc., Adbank)
Companies, Intercontinental Capital)
Management, Ltd., JRAM, Allan J. Clarke,)
Americas Fidelity Capital Management,)
Ltd., Standard Atlantic, Inc., FTS Entities,)
Ltd., Risk Management Group, Ltd., Bruce)
Forrester, Nelson Jarnagin, James)
Morgenstern, David Morgenstern, Victoria)
Morgenstern, Slattocks Invest, S.A., and)
Bayswater Commercial Inc., and)
Commercial Holdings,)

Relief Defendants.)

AMENDED ORDER
(Written Opinion)

This matter is before the Court upon the Government's motion to dispose of funds in the amount of Five Thousand Five Hundred and Sixty Dollars (\$5,560) that were seized and held by the Federal Bureau of Investigation ("FBI") in connection with the above captioned case.¹ The FBI now seeks direction as to the disposition of the funds, and the Government moves to have the funds distributed to the Criminal Justice Program at Tri-County Technical College.

This case involved a classic "pyramid" scheme with over fifty million dollars in investments from approximately 900 victims. The Receiver and his staff recovered almost twenty-five million dollars (\$24,913,667.00) from around the world and returned those funds to the investors resulting in a recovery of approximately 50% to the investors. On February 28, 2012, this Court ordered that a remaining \$175,283.75 in unclaimed funds be disbursed to the Charleston School of Law Foundation, a 501(c)(3) organization. Despite diligent and ongoing efforts, those funds could not be distributed to the remaining victims because they could not be located or refused to file a proof of claim.

Under United States Sentencing Guidelines § 5E1.1(b)(2), the court is not required to order restitution to identified victims if "the number of identifiable victims is so large as to make restitution impracticable." *Id.* The Government suggests that in this case a restitution order would be impracticable, because almost 1,000 victims have been identified, and each victim would receive a check of only approximately \$5.50.

This Court concludes that disbursing the remaining \$5,560 to individual victims is impracticable, and that the Government's Motion should be granted in the interest of justice and economy. Tri-County Technical College serves the County of Oconee, out of

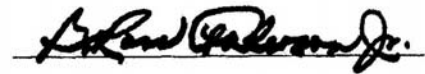
¹ The Government's Motion indicates that the amount of funds is Five Thousand and Five Hundred Dollars, but the amount is actually Five Thousand Five Hundred and Sixty Dollars (\$5,560), and the Court's order has been amended to reflect the actual amount of monies.

which the Womack fraud was operated. The funds will advance the interests of justice for all of our citizens in the coming years.

IT IS THEREFORE ORDERED THAT the Government's Motion for Disbursement of Funds be GRANTED and that the Five Thousand Five Hundred and Sixty Dollars (\$5,560) held by the FBI be turned over to the Clerk of Court for the District of South Carolina.

IT IS FURTHER ORDERED THAT upon the receipt of the funds, the Clerk of Court shall issue a check in the amount of \$5,560.00 payable to the "T.C.T.C. Foundation" and that Tri-County Technical College shall be instructed to apply the funds to its Criminal Justice Program. The Clerk of Court shall provide a copy of this Order to Tri-County Technical College.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "G. Ross Anderson, Jr.", is written over a horizontal line.

G. Ross Anderson, Jr.
Senior United States District Judge

March 29, 2013
Anderson, South Carolina